

June 15, 2004

Mr. Bill Kennedy  
Executive Director,  
North American Commission for Environmental Cooperation  
393, rue St-Jacques Ouest  
Bureau 200  
Montreal (Quebec)  
H2Y 1N9

Dear Mr. Kennedy,

Let me first indicate that I appreciated the opportunity to meet with you in May as part of the Friday Group discussion. Your comments about the role of the Commission for Environmental Cooperation (CEC) and the importance of improving its working relationship with industry were most welcome. The Canadian Steel Producers Association (CSPA) is prepared to work with the CEC to develop a more constructive dialogue between the CEC and industry. In that context, we appreciate the opportunity to comment on the CEC report, *Taking Stock, A special Report on Toxic Chemicals and Children's Health in North America*, while it is still a draft and hope that the comments that we and other associations offer will assist you in determining the future direction of the report.

Members of the CSPA made early voluntary commitments to reduce emissions of toxic substances and CSPA has reported annually since 1999 on progress in reducing emissions. The CSPA also recognizes the importance of making information available to the public through PRTRs. We have, however, taken issue in the past with how information from the PRTRs has been used in the *Taking Stock Reports*. Unfortunately, many of the same issues arise in *Taking Stock, A special Report on Toxic Chemicals and Children's Health in North America*. The points raised in this letter speak only to the way in which the PRTR information is used, and do not reflect a lack of commitment to continued reductions of emissions or public reporting on reduction activities.

The CSPA recognizes that the health of children is particularly vulnerable and supports the need to learn more about causes of health problems in children, including identifying the impact of exposure to toxic substances. As cited in the report, it is a very complex issue and a number of factors – poverty, nutrition, level of available health care, and environmental and occupational exposures – play a role. The report cites toxic chemicals as a special concern "...because they are preventable causes of damage" (p. 18). This overly simplistic link between levels of toxic emissions and children's health issues may mislead readers to assume that there is a simple solution to a complex problem, a problem that might more effectively be addressed by improving nutrition, providing clean water and making health care more accessible.

The report implies links between levels of releases of "toxic chemicals" and specific children's health issues without providing a sound scientific basis. This is due in part to the limitations, which the report itself acknowledges on page 23, of using PRTR data that does not include information on the toxicity of the chemical, the possibility of exposure or the risk from that exposure. The focus of the report is on the *quantity* of substances released or transferred and the sectors and facilities responsible for the largest total releases and transfers, equating the greatest risk with the highest volumes. This does not take into account the relative toxicity of substances, whether they are released into air, water, land, transferred for disposal, treated, or even sent for recycling, or how the substances react once released into different media. These are all factors that should be considered in assessing the potential risk to human health posed by a substance.

As a result of focusing on total volumes, the primary metal industries rank first or second as emitters of the largest quantities of carcinogens, suspected developmental toxicants and suspected neurotoxicants. The relative risk posed by large amounts of metals compared to smaller amounts of more highly toxic chemicals is not taken into consideration. Further, metals or wastes containing metals sent for recycling account for a significant portion of these amounts. The scientifically unsound approach of using total volumes to

identify potential risk is further compounded by including in those volumes amounts of metals (such as lead, zinc, chromium, and nickel) sent for recycling.

Three categories were used to assess health effects in the report: carcinogens, developmental toxicants and neurotoxicants. Environmental Defense was the source for the lists of known or suspected developmental toxicants and suspected neurotoxicants. Reference is made to Environmental Defense using “government and academic sources” to compile their lists, but the sources are not identified. CSPA has two concerns in this regard. The first and primary one is the decision of the CEC to use a list not developed by a recognized scientific authority but by one interest group, a step we view as totally inappropriate. The second is that the report should identify the government and academic sources used to compile the lists and provide an explanation of how they were used.

Your letter of April 13 also refers to conducting a peer review of the report. CSPA strongly supports this step and the suggestion made by the Canadian Chemical Producers Association to use the Revised Information Bulletin for Peer Review issued by the US Office of Management and Budget on April 15, 2004 as guidance in establishing the peer review process. Hopefully our comments and those of other stakeholders will be useful to the peer review panel in their work.

The report concludes with a discussion of opportunities for expanding knowledge about “pollutant releases of concern to children” with a focus on expanding PRTR efforts. We would suggest dropping the emphasis on PRTRs as a way of learning more about children’s health problems because of the limitations of PRTR data identified in the report and the problems with the methodology that we and others have identified. More attention could usefully be given to identifying areas requiring further scientific investigation or academic study, particularly those suggested by different trends or patterns in children’s health in the three countries. The experts participating in the peer review might make a useful contribution to identifying opportunities for further work.

Once again, we appreciate the opportunity to comment on the draft report and look forward to continuing discussions in the future.

Yours sincerely,

Barry Lacombe  
President